

# **ALABAMA BOARD OF NURSING**

## **REGULAR BOARD MEETING**

Fiscal Year 2010-2011

Suite 350, RSA Plaza

770 Washington Ave

Montgomery, Alabama

July 21-22, 2011

### **I. CALL TO ORDER**

#### **A. Roll Call**

The meeting was called to order at 9:02 a.m. on July 21, 2011. The following Board members were present: Pamela Autrey, PhD., MSN, RN, President; Amy Price, MSN, RN, Vice-President; Sharon Pugh, LPN, Secretary; Melissa Bullard, LPN; Monica Cauley, MSN, RN; Catherine Dearman, RN, PhD; Maggie Lee Hopkins, LPN; Gregory Howard, LPN; Martha G. Lavender, RN, DSN; Lynda F. LaRue, RN, ADN, CMTE; Carol Stewart, MSN, CRNP; and E. Laura Wright, MNA, CRNA, PhD(c). Leslie Vinson, Executive Secretary/Recorder was present. Staff members attending portions of the meeting were: Charlene Cotton, MSN, RN, Advanced Practice; Mary Ed Davis, MSN, RN, Voluntary Disciplinary Alternative Program; Katie Drake-Speer, MSN, RN, Education; Carolyn Morgan, MSN, RN, Practice/Continuing Education; Jennifer Broomfield, Chief Fiscal Officer; Robert Rollins, IT Systems Specialist Associate; Dawn Daniel, MSN, RN, Probation Nurse Consultant; Cathy Boden, MSN, RN, Legal Nurse Consultant; LaDonna Patton, MSN, RN, Legal Nurse Consultant; Alice Henley, General Counsel, and Katie Wetherbee, Assistant General Counsel.

#### **B. Declaration of Quorum**

A quorum was declared with twelve Board members present on July 21, and twelve members present on July 22. Gregory D. Pugliese, JD, was not present on July 21. Amy Price, MSN, RN, was not present on July 22.

#### **C. Statement of Compliance with Open Meetings Act**

Prior notice of this meeting was posted on the Secretary of State's web site in accordance with the Alabama Open Meetings Act.

D. Review of Agenda

1. Additions, Modifications, Reordering

VI.A.1. Executive Officer report was moved to the Consent Agenda.

2. Adoption of Consent Agenda

The following items were accepted on the Consent Agenda:

II.A. May 19-20, 2011 Board Meeting Minutes

II.B. June 16, 2011 Board Meeting Minutes

III.A. Board Action Follow-up

VI.A.1. Executive Officer Report

VI.A.2. FYI

VI.D.1. General Counsel/Deputy Attorney General

VI.D.2. Assistant General Counsel Report

VI.D.3. Voluntary Disciplinary Alternative Program

VI.D.4. Investigations Report

VI.D.5. Legal Nurse Consultant Report

VI.D.6. Probation Monitoring Report

VI.D.7. Public Records Requests

VI.E. Operations/Personnel Report

VI.F. Licensing Division

VII.A. 2009-2013 Strategic Plan Update

IX.A.1. Practice Report

IX.B.1. Continuing Education Report

X.A. Education Report

**On July 21, Mr. Howard moved that the Board adopt the Consent Agenda, as amended. Ms. Pugh seconded. Motion carried without objection.**

3. Adoption of Agenda

**On July 21, Ms. Pugh moved that the Board adopt the Agenda, as amended. Ms. Price seconded. Motion carried without objection.**

**On July 22, Ms. Cauley moved that the Board amend the agenda by removing XII.A.13. Elizabeth Ann Jenkins, 2-028374. Ms. Hopkins seconded. Motion carried without objection.**

## II. REVIEW OF MINUTES

### A. May 19-20, 2011 Board Meeting Minutes

The May 19-20, 2011 Board Meeting Minutes were accepted on the Consent Agenda.

### B. June 16, 2011 Board Meeting Minutes

The June 16, 2011 Board Meeting Minutes were accepted on the Consent Agenda.

## III. OLD BUSINESS/FOLLOW-UP

### A. Board Action Follow Up

Ms. Lee's report of Board action follow up was accepted, as information, on the Consent Agenda.

## IV. NATIONAL COUNCIL OF STATE BOARDS OF NURSING, INC.

## V. NATIONAL COUNCIL LICENSURE EXAMINATIONS

### A. FY 2011 3<sup>rd</sup> Quarter NCLEX-PN® Results

The 3<sup>rd</sup> Quarter NCLEX-PN® Results for FY 2011 were not available.

### B. FY 2011 3<sup>rd</sup> Quarter NCLEX-RN® Results

The 3<sup>rd</sup> Quarter NCLEX-RN® Results for FY 2011 were not available.

## VI. REPORTS

### A. Executive Officer

#### 1. Report

A written report outlining the Executive Officer activities from May 1, 2011, through June 30, 2011, was accepted as information on the Consent Agenda.

Pursuant to Alabama Board of Nursing Administrative Code, Rule 610-X-8-.05, Ms. Lee accepted the voluntary surrender for revocation for each of the following Alabama nursing licenses:

<b><u>Licensee's Name</u></b>	<b><u>License Number</u></b>	<b><u>Date of Acceptance</u></b>
Thompson, Andrea Denise	2-059067	05/02/2011
Willingham, Timothy Daniel	1-104541	05/02/2011
Fox, J. David	2-057152	05/05/2011
Pacheco, Melissa Gizelle	1-081247	05/06/2011
Riehl, Corrinne Amelia	1-070360	05/09/2011
Phillips, Melisa Stegall	1-082652	05/10/2011
Ladnier, Karen Louise	1-081200	05/11/2011
Cannon, Victoria Kay	1-100312; 2-028791	05/12/2011
Ogilvie, Terry Robin	1-084571	05/12/2011
Shanks, Lisa Carmen	1-091963	05/13/2011
Stephens, Lajuana	1-076484; 2-039438	05/16/2011
Johnson, Beth Anne	1-080353	05/16/2011
Conwill, Tracy M.	1-101963; 2-048659	05/18/2011
Sanders, Shelly Shandra	2-046776	05/18/2011
Musgrave, Victoria Drake	1-109266	05/20/2011
Blevins, Sheila A.	1-029111	05/23/2011
Albrecht, Eugina Rose	1-098944	05/25/2011
Hites, Annette Kay	1-079343	05/27/2011
Jenkins, Doris Louise	2-037124	05/31/2011
Laird, Sherry Gail	2-046269	06/03/2011
Gates, Crystal Lynn	1-092580	06/03/2011
Dye, Amber Natosha	1-121317; 2-056549	06/03/2011
Hall, Myra Elizabeth	2-034756	06/09/2011
Williams, Alicia Lasean Marie	2-055292	06/13/2011

Melton, Jodie Lea	1-082713; CRNP	06/15/2011
Dockery, Belinda McClendon	2-025895	06/16/2011
Banks, Sandra Renita	1-082437; 2-037727	06/16/2011
Clanahan, Sheriee Cassity	2-052887	06/16/2011
Borders, Timothy	2-038731	06/16/2011
Smith, Donna Rena	1-094124; 2-039776	06/18/2011
Eckel, Katherine Gelene	1-037565	06/22/2011
Holzapfel, Lisa Dianne	2-042435	06/22/2011
Willis, Robert Edward	1-113278	06/23/2011
Morris, Jennifer Brynn	1-113434	06/23/2011
Rutherford, Jodie Mary	1-091144	06/23/2011
Greenwell, Jo Anne	1-049652	06/29/2011
Woods, Juanita Faye	1-013841	06/29/2011

## 2. FYI

Ms. Lee provided the following items for the Board's information: (1) a copy of an American Medical Association article: "Truth in Advertising Campaign"; (2) a letter from Chattahoochee Valley Community College announcing Dr. D. Glen Cannon as President; and (3) a letter from Gadsden State Community College announcing Dr. Raymond Staats as President.

## B. Executive Committee

### 1. President's Report

There was no report from the President.

## C. Financial Reports

### 1. Reports

Ms. Broomfield provided a Revenue and Expenditure Summary for FY 2011. Revenues and expenditures for FY 2011, and a spreadsheet reflecting payments for all in-state

and out-of-state travel-related expenses through May 31, 2011, was presented. Ms. Broomfield also provided a cost allocation report with a breakdown of expenditures by program and object codes, along with a report of dishonored checks through May 31, 2011. Ms. Broomfield provided a variance report reflecting actual expenditures and revenue variances from the budget through May 31, 2011, and cash balance as of May 31, 2011.

The Board reviewed and discussed the reports presented with Ms. Broomfield.

## 2. Nursing Instructor Scholarships

Ms. Broomfield reported that the Education Trust Fund (ETF) budget passed by the legislature for Fiscal Year 2012 contains an appropriation to the Board for \$172,945 for scholarship funding. The statement in the appropriation is that "The above appropriation shall be expended pursuant to the provisions of the **Code of Alabama 1975**, Sections 34-21-60 through 34-21-63. Notwithstanding the limiting provisions of the **Code of Alabama 1975**, Sections 34-21-60 through 34-21-63, \$150,000 of the above appropriation shall be expended exclusively for scholarships for advanced degrees to train instructors to teach nursing classes in Alabama colleges and universities." This means that the amount for the Post-Baccalaureate scholarship is reduced to \$22,945 while the Nursing Instructor scholarship is funded at \$150,000.

The Board received \$237,725 for scholarships in the FY 2011 budget. The Board determined the requirements criteria for the scholarships for educators. For FY 2011, the Board allocated a maximum of \$5,000.00 per scholarship for forty scholarships. Staff has had to go to five alternates so far, as some of the recipients did not complete six hours for two consecutive semesters, although that was clearly stated in the requirements, instructions and scholarship agreement; and one recipient declined the award.

In the past two years, staff has had to demand payment from several recipients who did not comply with the terms of the agreement (did not graduate, moved out of state within a year of graduation, or did not provide verification of one year work requirement). Board staff has requested repayment from

twenty recipients. Thirteen have repaid the scholarship they were awarded. Five have had complaints filed and their information has been sent to the Legal department for action.

An issue the Board should consider as criteria for eligibility would be whether receiving the award in a prior year would disqualify the recipient from receiving the award again. Applicants are numerous and for each person that receives the award for multiple years, it possibly prevents someone else from benefiting from the scholarship. Priorities of selection should also be determined at this time.

Currently there are fifteen post-baccalaureate scholarships at \$3,800.00, reduced to \$1,529.66 each for FY 2012; and forty nursing instructor scholarships at \$5,000.00 each for FY 2012.

The qualifications are: (a) must have been a resident of Alabama for a period of at least one year immediately preceding application with two proofs of residency; (b) must have an active unencumbered Alabama registered nurse license; (c) must have been admitted to an accredited program seeking an advanced degree enabling the candidate to train instructors to teach nursing classes in Alabama colleges and universities, applicants may attend programs outside the state, if professionally accredited (nursing education scholarship); or for post-baccalaureate, must have been admitted to an accredited program seeking an advanced degree in nursing; (d) must hold or substantially meet the requirements for a baccalaureate degree in nursing from an accredited school of nursing; an official transcript or certification from the registrar stating requirements were met is required; (e) must agree to teach nursing full-time in an Alabama college or university for at least one year immediately after graduation or must agree to practice in Alabama for at least one year immediately following graduation; (f) must be a person of good moral character; and (g) must submit a completed application with all required documentation on or by August 01, 2011.

The scholarship conditions are: (a) must teach nursing full-time in an Alabama college or university for at least one year immediately following completion of the graduate program or must practice in Alabama for at least one year immediately following completion of the graduate program in nursing; (b) must attend school for at least six hours for two consecutive semesters and funds must be disbursed prior to October 1,

2012; (c) must sign a promissory note and an agreement to fulfill obligations; and (d) must keep the Board informed of the status of the above conditions and must immediately inform the Board of the failure to comply with the conditions.

The priorities of selection are: (a) students at Alabama schools seeking a doctorate in nursing; (b) students at Alabama schools seeking a doctorate in a health-related field; (c) students at Alabama schools seeking a masters in nursing; (d) students at Alabama schools seeking a masters in a health-related field; and (e) students at schools outside Alabama seeking any of the above enumerated degrees.

Ms. Broomfield reported that applications were posted on the Board's web site on June 13, 2011 and all nursing programs were notified via email about the availability of funds.

Ms. Broomfield provided copies of the scholarship agreement and promissory note for the nursing instructor scholarship and the post-baccalaureate scholarship for the Board's information and review.

The Board reviewed and discussed the funding formula, qualifications, scholarship conditions, method of selection and priorities of selection.

**On July 21, Mr. Howard moved that the Board change the funding formula for the nursing instructor scholarship to twenty scholarships at \$7,500.00 each, approve the qualifications for applicants, scholarship conditions, method of selection, and priorities of selection. If there are not twenty qualified applicants, the funds will be divided by the number of qualified applicants with ten alternates. Dr. Lavender seconded. Motion carried without objection.**

D. Legal Division

1. General Counsel/Deputy Attorney General

A written report of the activities of the Legal Division from April 29, 2011 through June 30, 2011, the number of open disciplinary cases, and the number of cases on appeal or subject to litigation was accepted, as information, on the



Consent Agenda.

2. Assistant General Counsel

A written report on the number of pending cases on the docket of the Assistant General Counsel as of June 30, 2011 was accepted, as information, on the Consent Agenda.

3. Voluntary Disciplinary Alternative Program

A written report on VDAP participants and terminations as of June 30, 2011 was accepted, as information, on the Consent Agenda.

4. Investigations Report

A written report of active investigations per investigator as of June 30, 2011 was accepted, as information, on the Consent Agenda.

5. Legal Nurse Consultant Report

A written report on the number of open cases assigned to each legal nurse consultant as of June 30, 2011 was accepted, as information, on the Consent Agenda.

6. Probation Monitoring

A written report on the number of nurses monitored on probation, the number of outstanding probation violations, the number of nurses released from probation, and the number of cases resulting in revocation by Board Order as of June 30, 2011 was accepted, as information, on the Consent Agenda.

7. Public Records Requests

A written report on the number of public records request completed between April 30, 2011 and June 30, 2011 was accepted, as information, on the Consent Agenda.

E. Operations/Personnel Report

A written report of the Board's operations and personnel was accepted, as information, on the Consent Agenda.

F. Licensing Division

A written report on the number of licenses issued from October 1, 2010, through June 30, 2011, was accepted, as information, on the Consent Agenda.

G. Board Member Attendance

A written report on Board member attendance was accepted as information on the Consent Agenda.

VII. STRATEGIC PLANNING

A. 2009-2013 Strategic Plan Update

An update of the ABN 2009-2013 Strategic Plan, was accepted, as information, on the Consent Agenda.

VIII. ADVANCED PRACTICE

A. Roster of Collaborative Practice Applicants

Ms. Cotton reported that the roster includes fifty-three applications for collaborative practice that meet the criteria for fast track approval without Joint Committee review.

Applications for remote site practice, additional skills and/or special formulary will be presented to the Joint Committee at the August meeting.

Ms. Cotton reported that the Board of Medical Examiners deferred approval on #20, Lee Thomas Wimberly, MD.

Ms. Cotton provided copies of the roster of applications for the Board's information and review.

**On July 21, Dr. Dearman moved that the Board approve the applicants for collaborative practice, with the deletion of #20, as listed in the published roster. Ms. Hopkins seconded. Motion carried without objection.**

Dr. Autrey requested that Ms. Cotton include how fees are assessed in her next report to the Board.

IX. PRACTICE AND CONTINUING EDUCATION

A. Practice

1. Report

A written report on the standardized procedures activity as of June 17, 2011, was accepted, as information, on the Consent Agenda.

B. Continuing Education

1. Report

A written report on Continuing Education Provider applications, CE plan update, and a CE audit update was accepted, as information on the Consent Agenda.

X. EDUCATION

A. Report

A written report on nursing education programs was accepted, as information, on the Consent Agenda.

B. Improvement Plan: Wallace Community College – Dothan ADN Program

Ms. Drake-Speer reported that Wallace Community College – Dothan received a Notice of Deficiency for FY 2010 for a first time writers' composite NCLEX-RN® pass rate of 66.3%. The program is required to correct the deficiency by September 30, 2012. A written plan addressing the deficiency was received. A follow-up report documenting progress is due in the Board's office November 8, 2011.

The written report addresses assessments and evaluations of the students and the program that are ongoing. Strategies implemented

and planned strategies are discussed. The analysis by the faculty concludes that students who complete the curriculum without having to repeat a course were more likely to be successful on the NCLEX-RN®. Components reviewed and discussed in the plan are: 1) Comprehensive Assessment Testing; 2) students' grades across the curriculum; 3) progression throughout the program; 4) clinical instruction; 5) suspected indicators for the decline of the NCLEX-RN pass rate; 6) NCLEX performance analysis; and 7) improvement strategies.

Ms. Drake-Speer provided copies of the systematic plan of evaluation, 2009-2010 deficiency correction report and the NCLEX-RN pass rate for the Board's information and review.

Jackie Spivey, Program Director, was present and answered questions from the Board. Ms. Spivey reported that Wallace Community College Dothan ADN Program's NCLEX pass rate is currently at 81%.

The Board requested that the program provide more information in the next report on how NCLEX pass rates are assessed, performance achievements and changing benchmarks.

C. Improvement Plan: Central Alabama Community College ADN Program

Ms. Drake-Speer reported that Central Alabama Community College Associate Degree program received a Notice of Deficiency for an NCLEX-RN® composite of first time writers' pass rate of 72.2% for FY 2010. The program received an expected date of correction of September 30, 2012. The notice specified that a written plan of improvement to address the deficiency be submitted by May 9, 2011. A follow-up report documenting progress is due November 8, 2011.

The plan is divided into five areas: 1) program assessment; 2) student assessment; 3) student development; 4) faculty development; and 5) instructional delivery methodology. Communication received from the program director indicates that many of "these strategies have been implemented with success." The plan did not include any data or trended information but it is cited under program assessment/evaluation that the program will continue to utilize the systematic plan of evaluation and to monitor NCLEX-RN Program Reports for emerging trends/patterns.

Ms. Drake-Speer provided copies of the student success plan and the

NCLEX-RN® for the Board's information and review.

Dr. Dee Fuller, Interim Program Director, was present and answered questions from the Board.

The Board requested that the program provide more information in the next report on how NCLEX pass rates are assessed, performance achievements and changing benchmarks.

D. Improvement Plan: Bevill State Community College ADN Program

Ms. Drake-Speer reported that Bevill State Community College (BSCC) ADN program received a Notice of Deficiency for FY 2010 for an NCLEX-RN® composite of first time writers' pass rate of 79.4%. The program received an expected date of correction of September 30, 2012. The notice specified that a written plan of improvement to address the deficiency be submitted by May 9, 2011. A follow up progress report is due November 8, 2011.

Bevill's improvement plan addresses: 1) NCLEX review; 2) remediation program; 3) test security development; 4) simulation labs; 5) ATI Comprehensive Testing Review Plan; 6) analysis of the 2010 BSCC cohort of unsuccessful students; 7) corrective actions taken; 8) faculty development; and 9) program evaluation.

Ms. Drake-Speer provided copies of the deficiency action plan, and the deficiency survey visit for the Board's information and review.

Reitha Cabaniss, Program Director, was present and answered questions from the Board.

The Board requested that the program provide more information in the next report on how NCLEX pass rates are assessed, performance achievements and changing benchmarks.

E. Improvement Plan: Bishop State Community College ADN Program

Ms. Drake-Speer reported that Bishop State Community College received a Notice of Deficiency for FY 2010 for an NCLEX-RN® composite of first time writers' pass rate of 77.4%. The program received an expected date of correction of September 30, 2012. A written plan of improvement was received. The program must submit a follow-up progress report to the plan by November 8, 2011.

The plan addresses analysis of graduates who were unsuccessful on their first attempt. Areas identified as needing review are Physiological Adaptation and Reduction of Risk Potential. The plan does not address plans implemented to address the cited areas of weaknesses. As a part of the college's review the nursing program will be involved in an internal review process utilizing guidelines provided by the Alabama Department of Postsecondary Education. The plan indicates a NCLEX-RN® review program was purchased and that curriculum changes will be implemented 2011.

Ms. Drake-Speer provided copies of the plan of improvement for the Board's information and review.

Kim Rawson, Program Director, and Dr. Latisha McCain, Academic Dean, were present and answered questions from the Board.

The Board requested that the program provide more information in the next report on how NCLEX pass rates are assessed, performance achievements and changing benchmarks. The Board also requested to see the analysis of graduates who were unsuccessful on the first attempt.

F. Improvement Plan: Jefferson Davis Community College ADN Program

Ms. Drake-Speer reported that the Board issued a Notice of Deficiency to Jefferson Davis Community College for FY 2010 for a composite of first time writers pass rate of 67.2%. The program is required to correct the deficiency by September 30, 2012. A written plan addressing the deficiency was received. A progress report documenting progress is due in the Board's office November 8, 2011.

The plan addresses: 1) Systematic Evaluation Plan (SEP) revisions; 2) profile of at risk students and plan to address these students; 3) curriculum review; 4) Comprehensive Assessment Plan; 5) faculty development; and 6) computerized comprehensive assessment and review. It is cited in the plan that faculty believe the lack of attention to the SEP contributed to the decrease in the NCLEX-RN® pass rate.

Ms. Drake-Speer provided copies of the systematic evaluation plan, plan for compliance, and plan for compliance outcome for the Board's information and review.

Susan Mack, Director of Nursing, was present and answered questions from the Board.

The Board requested that the program provide more information in the next report on how NCLEX pass rates are assessed, performance achievements and changing benchmarks.

G. Improvement Plan: Lurleen B. Wallace Community College - MacArthur ADN Program

Ms. Drake-Speer reported that Lurleen B. Wallace Community College – MacArthur ADN program received a Notice of Deficiency for FY 2010. The composite of first time writers during FY 2010 failed to meet the outcome standard. The FY 2010 NCLEX-RN® results were 70%. A written plan addressing the deficiency was received June 8, 2011.

The program's plan of improvement in response to the notice indicates that a review of the systematic plan yielded information of areas that are problematic for the program. Areas identified were: 1) need to maintain full time faculty as primary instructors; 2) faculty performance; and 3) need for activities that are congruent with the program objectives, promote critical thinking and provide additional learning experiences.

Ms. Drake-Speer provided copies of the plan of improvement for the Board's information and review.

Nancy Smith, Program Director, was present, answered questions from the Board, and provided an addendum to the plan of improvement.

The Board requested that the program provide more information in the next report on how NCLEX pass rates are assessed, performance achievements and changing benchmarks.

XI. EDUCATION PROGRAM HEARINGS

A. Herzing University ADN Program

Dr. Dearman reported that in the hearing transcript on page 193 and forward, she asked the questions not Ms. Bullard.

**On July 21, Dr. Dearman moved that the Board accept the Findings of Fact, Conclusions of Law with the following correction to Conclusions of Law #19 third sentence: Alabama**

**Board of Nursing Administration Code, 610-X-6-.06(2) “The Board shall, upon determining that a program is not in compliance with standards set forth in Chapter 610-X-3, provide to the governing institution administrator and nursing program administrator a written notice of deficiencies that establishes a reasonable time, based upon the number and severity of deficiencies, to correct deficiencies”, and the Recommendation of the Hearing Officer, and maintain provisional approval of the Herzing Mobility Program for a period extending until thirty days after receipt by the Board of the results of all first-time Herzing graduate testers taking the test in FY 2012. At such time, approval would be automatically extended if testing results for those first-time testers meet or exceed an 80% passage threshold and the mobility program is in compliance with other Board regulations. Provisional approval during this interim period is conditioned on the following: 1) periodic reporting and meetings with Board officials to monitor implementation and progress; and 2) the immediate termination of provisional approval of the mobility program’s approval prior to 2012, in the event that the FY 2011 first-time passage rate falls to less than the 69.01% FY 2010 passage rate. Herzing may seek to have the provisional status of the Board’s approval of its mobility program eliminated, and the program approved indefinitely, prior to the 2012 deadline, should its program passage rate meet or exceed the 80% threshold for FY 2011. Dr. Lavender seconded. Motion carried with one opposition (Dr. Dearman).**

**B. Lawson State Community College ADN Program**

**On July 21, Dr. Lavender moved that the Board accept the Findings of Fact, Conclusions of Law with the following correction to Conclusions of Law #23 third sentence: Alabama Board of Nursing Administration Code, 610-X-6-.06(2) “The Board shall, upon determining that a program is not in compliance with standards set forth in Chapter 610-X-3, provide to the governing institution administrator and nursing program administrator a written notice of deficiencies that establishes a reasonable time, based upon the number and severity of deficiencies, to correct deficiencies”, and the Recommendation of the Hearing Officer, and maintain approval of the Lawson State Community College ADN Program for a**



period extending until thirty days after receipt by the Board of the results of all first-time ADN graduate testers taking the test in FY 2012. At such time, approval would be automatically extended if testing results for those first-time testers meet or exceed an 80% passage threshold and the mobility program is in compliance with other Board regulations. Approval during this corrective period is conditioned on the following: 1) implementation of those measures outlined in Lawson State Community College (LSCC) Exh. 7; 2) periodic reporting and meetings with Board officials to monitor implementation and progress of the measures identified in LSCC Exh. 7; 3) the immediate termination of approval of the program's approval prior to 2012, in the event that the FY 2011 first-time passage rate further declines to less than 65%. LSCC may seek to have the Board's approval of its ADN program extended indefinitely, prior to the 2012 deadline, should its program passage rate meet or exceed the 80% threshold for FY 2011. Ms. Hopkins seconded. Motion carried with one opposition (Dr. Dearman).

## XII. DISCIPLINARY CASES

**On July 21, Mr. Pugliese moved that the Board enter into Executive Session to discuss the general reputation and character, professional competence, and physical or mental conditions of specific applicants and licensees. Ms. Wright seconded. Motion carried without objection.**

Dr. Autrey reported that the Board would reconvene in open session at approximately 9:30 a.m.

The Board reconvened in open session at 9:08 a.m. and voted on the Consent Orders.

### A. Consent Orders

#### 1. Swihart, Steven Wade – RN, 1-107523 (Active/Probation)

Mr. Swihart signed a Consent Order that would suspend his RN license for a minimum of six months, and until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency

evaluation from a Board-approved provider and compliance with all treatment recommendations; (b) entry into and full participation in an aftercare program; (c) negative random monthly urine drug screens; (d) active participation in Twelve Step Meetings; (e) accrual of requisite continuing education contact hours; (f) payment of appropriate fees; and (g) payment of the fine associated with the January 2011 Board Order. Upon reinstatement, Mr. Swihart's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and he will be required to pay a fine in the amount of \$300.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, his license status will be considered as and listed as revoked.

**On July 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried without objection.**

2. Morris, Connie Sue Smith – LPN, 2-049341 (Lapsed)

Ms. Morris signed a Consent Order that would approve her reinstatement of a lapsed license application and place her LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$300.00.

**On July 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried without objection.**

3. Rainwater, Carolyn Sue – LPN, 2-054017

Ms. Rainwater signed a Consent Order that would place her LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, and require her to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$600.00.

**On July 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried without objection.**

4. Blalock, Robin Edgil – RN, 1-095358

Ms. Blalock signed a Consent Order that would suspend her RN license for a minimum of three months, and until such time as the Board is in receipt of satisfactory documentation of: (a) payment of a fine in the amount of \$1,000.00; (b) successful completion of Board-approved educational courses on ethics of nursing and professional accountability; (c) accrual of requisite continuing education contact hours; and (d) payment of appropriate fees. Upon reinstatement, Ms. Blalock's license will be placed on probation for a period twenty-four months, with practice-related stipulations. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On July 22, Ms. LaRue moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

5. Jackson, Antonina Gabrielle – RN, 1-088393 (Lapsed)

Ms. Jackson signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of evidence of: (a) repayment of the scholarship fund; (b) payment of a fine in the amount of \$300.00; and (c) successful completion a Board-approved educational course on professional accountability. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On July 22, Ms. Cauley moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

6. Levingston, Elizabeth Annette Blount – LPN, 2-062633

Ms. Levingston signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of successful completion of a Board-approved educational course on legal/ethical aspects of nursing, and

pays a fine in the amount of \$1,000.00.

**On July 22, Mr. Pugliese moved that the Board accept the Consent Order. Ms. Stewart seconded. Motion carried without objection.**

7. Bilodeau, Brian Alexander – RN, 1-101118; CRNA

Mr. Bilodeau signed a Consent Order that would suspend his RN license until such time as he provides evidence of successful completion of Board-approved educational courses on professional accountability and the ABN Mandatory Course Part 2, and pays a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, his license status will be considered as and listed as revoked.

Ms. Wright recused herself from the discussion and vote concerning Mr. Bilodeau.

**On July 22, Mr. Pugliese moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried without objection.**

8. Belcher, Cornelia Lashun – LPN, 2-058836

Ms. Belcher signed a Consent Order that would terminate her March 18, 2011 Order upon the Board's acceptance of this instant Order that would suspend her LPN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. If deemed in need of treatment, Ms. Belcher's license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Belcher's license will be reinstated on probation for a

period of twenty-four months, with illegal/illicit drug-use stipulations, she will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On July 22, Ms. Pugh moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

9. Cochran, Deanna Renee – LPN, 2-053915

Ms. Cochran signed a Consent Order that would terminate her January 23, 2009 Order upon the Board's acceptance of this instant Order that would suspend her LPN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; (g) payment of appropriate fees. If deemed in need of treatment, Ms. Cochran's license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Cochran's license will be reinstated on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, she will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On July 22, Ms. Pugh moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried**

**without objection.**

10. Farwell, Aileen Louise – RN, 1-093713

Ms. Farwell signed a Consent Order that would terminate her September 21, 2007 Order upon the Board's acceptance of this instant Order that would suspend her RN license for a minimum of three months and until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. If deemed in need of treatment, Ms. Farwell's license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Farwell's license will be reinstated on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, she will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On July 22, Ms. Pugh moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

11. Canada, Linda Joyce Lagrone – RN, 1-035948; LPN, 2-017318 (Lapsed)

Ms. Canada signed a Consent Order that would place her RN license on probation for a period of twelve months, with practice-related stipulations, require her to successfully complete Board-approved educational courses on professional accountability, medication errors and critical thinking, and pay a fine in the amount of \$300.00. Should Ms.

Canada attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

**On July 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.**

12. Graul, Brada M. Morton – LPN, 2-055230

Ms. Graul signed a Consent Order that would place her LPN license on probation for a period of twelve months, with practice-related stipulations, require her to successfully complete Board-approved educational courses on chemical dependency and ethics of nursing, and pay a fine in the amount of \$300.00.

**On July 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.**

13. Jenkins, Elizabeth Ann McWilliams – LPN, 2-028374

Ms. Jenkins was deleted from the agenda.

14. Manning, Mattie Mae Boyd – RN, 1-058399; LPN, 2-023995 (Lapsed)

Ms. Manning signed a Consent Order that would place her RN license on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, require her to successfully complete Board-approved educational courses on chemical dependency, scope of practice and standards of practice, and professional accountability, and pay a fine in the amount of \$600.00. Should Ms. Manning attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

**On July 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.**

15. Melvin, Donna Renee Wadsworth – LPN, 2-044342

Ms. Melvin signed a Consent Order that would suspend her

LPN license for a minimum of six months and until such time as the Board is in receipt of satisfactory documentation of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of Board-approved educational courses on documentation, professional accountability, and legal/ethical aspects of nursing; (c) accrual of requisite continuing education contact hours; and (d) payment of appropriate fees. Upon reinstatement, Ms. Melvin's license will be placed on probation for a period of twelve months, with practice-related stipulations. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On July 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.**

16. Atchison, Alfreda Lashon – LPN, 2-059799

Ms. Atchison signed a Consent Order that would place her LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$300.00.

**On July 22, Ms. Pugh moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.**

17. Cauthen, Katherine Marie – RN, 1-099585

Ms. Cauthen signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$300.00.

**On July 22, Ms. Pugh moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.**

18. Dean, Janet Zona Harris – RN, 1-039717



Ms. Dean signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$300.00.

**On July 22, Ms. Pugh moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.**

19. Dollar, Margaret Leigh – RN, 1-112961

Ms. Dollar signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Upon reinstatement, Ms. Dollar's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,300.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

Dr. Autrey recused herself from the discussion and vote concerning Ms. Dollar.

**On July 22, Ms. Pugh moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.**

20. Fletcher, Gene Philip – RN, 1-088085

Mr. Fletcher signed a Consent Order that would place his RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require him to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$300.00.

**On July 22, Ms. Pugh moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.**

21. Wade, Courtney Jones – RN, 1-105959

Ms. Wade signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) successful completion of ninety days residential treatment at St. Anne's as recommended by UAB Addiction Recovery Program; (d) entry into and full participation in an aftercare program; (e) negative random monthly urine drug screens; (f) active participation in Twelve Step Meetings; (g) accrual of requisite continuing education contact hours; (h) payment of appropriate fees. Upon reinstatement, Ms. Wade's RN license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On July 22, Ms. Pugh moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.**

22. Whitehead, Kayla Marie Schroeder – RN, 1-110241

Ms. Whitehead signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$300.00.

**On July 22, Ms. Pugh moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.**

23. Day, Gail Rhuna – LPN, 2-059071

Ms. Day signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of successful completion of Board-approved educational courses on standards of practice and scope of practice, and an overview of Alzheimer's disease, and pay a fine in the amount of \$300.00.

**On July 22, Dr. Lavender moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

24. Dotson, Michelle Alene Crawford – RN, 1-109555

Ms. Dotson signed a Consent Order that would place her RN license on probation until such time as she provides evidence of successful completion of a Board-approved educational course on patient privacy, and pays a fine in the amount of \$1,000.00.

**On July 22, Dr. Lavender moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

25. Greene, Andrea Leigh – RN, 1-095220

Ms. Greene signed a Consent Order that would suspend her RN license until such time as she provides evidence of successful completion of Board-approved educational courses on HIPPA for health care professionals and ethics of nursing, and pays a fine in the amount of \$500.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

Dr. Autrey recused herself from the discussion and vote concerning Ms. Greene.

**On July 22, Dr. Lavender moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

26. Jones, Charles Wayne – RN, 1-076670

Mr. Jones signed a Consent Order that would place his RN

license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require him to successfully complete Board-approved educational courses on chemical dependency and professional accountability, and pay a fine in the amount of \$600.00.

**On July 22, Dr. Lavender moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

27. McDonald, Connie Denise Smith – LPN, 2-030164

Ms. McDonald signed a Consent Order that would suspend her LPN license until such time as she provides evidence of successful completion of Board-approved educational courses on legal/ethical aspects of nursing and documentation, and pays a fine in the amount of \$500.00. Upon reinstatement, Ms. McDonald's license will be placed on probation for a period of twelve months, with practice-related stipulations. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On July 22, Dr. Lavender moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

28. Pierce, Jennifer Lynn Maddox – LPN, 2-050810

Ms. Pierce signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of successful completion of Board-approved educational courses on standards of practice and scope of practice, professional accountability, and documentation, and pays a fine in the amount of \$600.00.

**On July 22, Dr. Lavender moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

29. Sparks, Sharon Melissa Martin – RN, 1-109695

Ms. Sparks signed a Consent Order that would place her RN license on probation for a period of twelve months, with

practice-related stipulations, require her to successfully complete Board-approved educational courses on professional accountability and critical thinking, and pay a fine in the amount of \$600.00.

**On July 22, Dr. Lavender moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

30. Thomas, Heidi Hearnberger – RN, 1-101778

Ms. Thomas signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$300.00.

**On July 22, Dr. Lavender moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

31. Wilson, Pamela Kay Sybert – RN, 1-107045

Ms. Wilson signed a Consent Order that would place her RN license on probation until such time as she provides evidence of successful completion of a Board-approved educational course on patient privacy and pays a fine in the amount of \$1,000.00.

**On July 22, Dr. Lavender moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

32. Wilson, Steven Dewayne – RN, 1-075775

Mr. Wilson signed a Consent Order that would place his RN license on probation until such time as he provides evidence of successful completion of Board-approved educational courses on professional accountability and ethics of nursing, and pays a fine in the amount of \$900.00.

**On July 22, Dr. Lavender moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried**

**without objection.**

33. Gale, Christina – LPN Endorsement Applicant

Ms. Gale signed a Consent Order that would approve her LPN endorsement application and issue her a public reprimand.

**On July 22, Mr. Howard moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.**

34. Lewis, Clelata – RN Exam Applicant

Ms. Lewis signed a Consent Order that would allow her to take the NCLEX-RN®, and if successful, issue her a public reprimand and require her to pay fine in the amount of \$300.00.

**On July 22, Ms. LaRue moved that the Board accept the Consent Order. Ms. Cauley seconded. Motion carried without objection.**

35. Bigham, Shannon Traywick – RN, 1-113870; LPN, 2-055381 (Lapsed)

Ms. Bigham signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On July 22, Mr. Pugliese moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

36. Burks, Robert Laurence – RN, 1-127778; LPN, 2-057710

Mr. Burks signed a Consent Order that would issue him a public reprimand and require him to pay a fine in the amount of \$600.00.

Dr. Autrey recused herself from the discussion and vote concerning Mr. Burks.

**On July 22, Mr. Pugliese moved that the Board accept the**

**Consent Order. Mr. Howard seconded. Motion carried without objection.**

37. Grantham, Rachel Strickland – RN, 1-088659; LPN, 2-042778 (Lapsed)

Ms. Grantham signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On July 22, Mr. Pugliese moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

38. Jernigan, Lisa Elaine Tubb – RN, 1-092949

Ms. Jernigan signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On July 22, Mr. Pugliese moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

39. Jones, Julia Merrill – RN, 1-114756

Ms. Jones signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On July 22, Mr. Pugliese moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

40. Kapustinski, Jeffery Allen – RN Endorsement Applicant

Mr. Kapustinski signed a Consent Order that would approve his RN endorsement application and issue him a public reprimand and require him to pay a fine in the amount of \$300.00.

**On July 22, Mr. Pugliese moved that the Board accept the**

**Consent Order. Mr. Howard seconded. Motion carried without objection.**

41. Mauldin, Lydia Cheryl Harry – LPN, 2-048679

Ms. Mauldin signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$600.00.

**On July 22, Mr. Pugliese moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

42. Preyear, Maria Michelle Moore – LPN, 2-048555; RN Exam Applicant

Ms. Preyear signed a Consent Order that would allow her to take the NCLEX-RN, and issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On July 22, Mr. Pugliese moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

43. Steward, Joshua Wayne – RN, 1-092076

Mr. Steward signed a Consent Order that would issue him a public reprimand and require him to pay a fine in the amount of \$300.00.

Dr. Lavender recused herself from the discussion and vote concerning Mr. Steward.

**On July 22, Mr. Pugliese moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

44. Summerlin, Anthony Jermaine – LPN, 2-046887

Mr. Summerlin signed a Consent Order that would issue him a public reprimand and require him to pay a fine in the amount of \$300.00.

**On July 22, Mr. Pugliese moved that the Board accept the**



**Consent Order. Mr. Howard seconded. Motion carried without objection.**

45. Watterson, Mary Anna – RN, 1-070502

Ms. Watterson signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On July 22, Mr. Pugliese moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

46. Williams, Gloria Darlene Lipps – RN, 1-044116

Ms. Williams signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On July 22, Mr. Pugliese moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

47. Ahmadi, Alicia Grace – RN, 1-054326

Ms. Ahmadi signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$900.00.

**On July 22, Mr. Pugliese moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

48. Brittian, Cynthia Eve Rickles – RN, 1-079408

Ms. Brittian signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$600.00.

Dr. Lavender recused herself from the discussion and vote concerning Ms. Brittian.

**On July 22, Mr. Pugliese moved that the Board accept the**

**Consent Order. Dr. Dearman seconded. Motion carried without objection.**

49. Cole, Honi Claire – RN, 1-026821

Ms. Cole signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$900.00.

**On July 22, Mr. Pugliese moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

50. Baker, Sharon Ann Clopton – LPN, 2-037723

Ms. Baker signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On July 22, Ms. Cauley moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.**

51. Lackey, Teresa Denise Keel – RN, 1-077286; LPN, 2-019439 (Lapsed)

Ms. Lackey signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$1,000.00.

**On July 22, Mr. Pugliese moved that the Board reject the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

**On July 22, Mr. Pugliese moved that the staff offer Ms. Lackey a Consent Order that would place her license on probation until such time as she provides evidence of successful completion of a Board-approved educational course on ethics and pays a fine in the amount of \$1,000.00. Ms. Bullard seconded. Motion carried without objection.**

52. Young, Carolyn A. Bell – RN, 1-018471

Ms. Young signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$500.00.

**On July 22, Ms. Cauley moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.**

53. Johnson, Sally Ruth Hankins – RN, 1-075468  
(Active/Probation)

Ms. Johnson signed a Consent Order that would terminate her September 18, 2009 Order upon the Board's acceptance of this instant Order that would place her license on probation, stay the probation and place her license on lapsed status due to her medical condition.

**On July 22, Ms. Pugh moved that the Board accept the Consent Order. Ms. Wright seconded. Motion carried without objection.**

54. Adkins, Mary Elizabeth Skellie – LPN, 2-032029

Ms. Adkins signed a Consent Order that would stay her June 28, 2011 VDAP Agreement and place her license on lapsed status due to her health condition.

**On July 22, Ms. Pugh moved that the Board accept the Consent Order. MS. Wright seconded. Motion carried without objection.**

B. Reinstatement: Consent Orders

1. Henley, Wendy Nicole – LPN, 2-047814

Ms. Henley signed a Consent Order that would reinstate her license on probation for a period of sixty months, with chemical dependency stipulations, require her to successfully complete Board-approved educational courses on professional accountability and the Board's mandatory course, and pay a fine in the amount of \$1,000.00.

**On July 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried without objection.**

2. Kimbrell, Suzanne Cooper – RN, 1-083459; LPN, 2-034826

Ms. Kimbrell signed a Consent Order that would reinstate her RN license on probation for a period of sixty months, with chemical dependency stipulations, require her to successfully complete Board-approved educational courses on professional accountability and the Board's mandatory course, and pay a fine in the amount of \$1,000.00. Should Ms. Kimbrell attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

**On July 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried without objection.**

C. Formal Hearings

**On July 22, Dr. Dearman moved that the Board enter into Executive Session in its capacity as a quasi-judicial body to deliberate and discuss evidence and testimony presented during contested case hearings and vote on the outcomes. Ms. Wright seconded. Motion carried without objection.**

Dr. Autrey reported that the Board would reconvene in open session at approximately 10:30 a.m.

The Board returned to open session at 10:46 a.m.

1. Andrews, Cassandra – LPN, 2-055058

**On July 22, Ms. Wright moved that the Board accept the Findings of Fact, Conclusions of Law, and amend the Recommendation of the Hearing Officer, and suspend Ms. Andrews' LPN license until such time as she provides evidence of successful completion of twenty-four continuing education contact hours and pays a fine in the amount of \$500.00. Ms. Cauley seconded. Motion carried without objection.**

2. Barsanti, Sherry Jo – RN, 1-113865 (Lapsed); LPN, 2-041623

(Lapsed)

**On July 22, Dr. Dearman moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Barsanti's license. Mr. Pugliese seconded. Motion carried without objection.**

3. Carter, Shelli Jo – RN, 1-087280 (Active/Probation); LPN, 2-039137 (Lapsed)

**On July 22, Ms. Pugh moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and place Ms. Carter's license on probation for a period of sixty months, with chemical dependency stipulations. Ms. Hopkins seconded. Motion failed with eleven objections (Mr. Pugliese, Dr. Dearman, Ms. Bullard, Ms. Cauley, Ms. Wright, Ms. Stewart, Ms. Pugh, Dr. Lavender, Mr. Howard, Ms. LaRue and Ms. Hopkins).**

**On July 22, Mr. Pugliese moved that the Board accept the Findings of Fact, Conclusions of Law, but reject the Recommendation of the Hearing Officer, due to two positive drug screens in violation of her probation, and suspend Ms. Carter's license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. If deemed in need of treatment, Ms. Carter's license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Carter's license will be reinstated on probation for a period of sixty months, with illegal/illicit**

drug-use stipulations, she will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked. Should Ms. Carter attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

4. D'ariento, Mary Jean – LPN Exam Applicant

On July 22, Ms. LaRue moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Ms. D'ariento's exam application. Ms. Hopkins seconded. Motion carried without objection.

5. Gilley, Harriett Lynn – LPN, 2-033006 (Lapsed)

On July 22, Mr. Pugliese moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Gilley's LPN license. Ms. LaRue seconded. Motion carried without objection.

6. Hackett, Evelyn F. – RN, 1-043379

On July 22, Mr. Pugliese moved that the Board accept the Findings of Fact, Conclusions of Law, but reject the Recommendation of the Hearing Officer due to the recent felony conviction, and revoke Ms. Hackett's RN license. Mr. Howard seconded. Motion carried with four oppositions (Ms. Wright, Ms. LaRue, Dr. Lavender and Ms. Cauley).

7. Jensen, Keith J. – RN, 1-072220 (Lapsed/Probation)

On July 22, Dr. Dearman moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and suspend

**Mr. Jensen's RN license for a minimum of six months and until such time as he pays a fine in the amount of \$1,000.00. Upon reinstatement, Mr. Jensen's license will be placed on probation for a period of sixty months with chemical dependency stipulations. In no event will this period of suspension extend beyond twelve months of the effective date of the Order and if such should occur, his license status would be considered as and listed as revoked. Dr. Lavender seconded. Motion carried with one opposition (Ms. Bullard).**

8. McKinney, Dana Ann – RN Endorsement Applicant

**On July 22, Mr. Pugliese moved that the Board accept the Findings of Fact, Conclusions of Law, but reject the Recommendation of the Hearing Officer due to the requirement of her Mississippi Order which limits her nursing practice to the State of Mississippi during the term of her Mississippi Order, and deny her RN endorsement application. Mr. Howard seconded. Motion carried with two oppositions (Dr. Lavender and Ms. Wright).**

9. Morgan, Stephanie – RN, 1-092256

**On July 22, Mr. Pugliese moved that the Board accept the Findings of Fact, Conclusions of Law, but reject the Recommendation of the Hearing Officer due to the recent felony conviction and Court-ordered probation, and revoke Ms. Morgan's license. Mr. Howard seconded. Motion carried without objection.**

10. N'gegba, Jamine Esther – LPN Endorsement Applicant

**On July 22, Ms. LaRue moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Ms. N'gegba's endorsement application. Mr. Howard seconded. Motion carried without objection.**

11. Phillips, Helen Louconstance – LPN, 2-031149

**On July 22, Ms. LaRue moved that the Board accept the**

**Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Phillips' LPN license. Ms. Hopkins seconded. Motion carried without objection.**

12. Pierce, Jennifer Kathryn – LPN, 2-062379 (Active/Probation)

**On July 22, Ms. Wright moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and extend Ms. Pierce's probation for a period of thirty-six months. Mr. Howard seconded. Motion failed with eleven oppositions (Ms. Cauley, Ms. Bullard, Dr. Dearman, Mr. Pugliese, Ms. Stewart, Ms. Wright, Ms. Pugh, Dr. Lavender, Mr. Howard, Ms. LaRue and Ms. Hopkins).**

**On July 22, Mr. Pugliese moved that the Board accept the Findings of Fact, Conclusions of Law but amend the Recommendation of the Hearing Officer due to repeated positive drug screens and violation of probation, and suspend Ms. Pierce's LPN license until such time as she provides satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. If deemed in need of treatment, Ms. Pierce's license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Pierce's license will be reinstated on probation for a period of thirty-six months, with illegal/illicit drug-use stipulations, she will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$1,000.00. In no event will this period of**



**suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked. Dr. Dearman seconded. Motion carried without objection.**

13. Todd, Nan Nette – LPN, 2-027078 (Active/Probation)

**On July 22, Dr. Lavender moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Todd's LPN license. Ms. Cauley seconded. Motion carried without objection.**

14. Vaughn, Abigail Elizabeth – RN Exam Applicant

Dr. Dearman recused herself from the discussion and vote concerning Ms. Vaughn.

**On July 22, Mr. Pugliese moved that the Board accept the Findings of Fact, Conclusions of Law, but reject the Recommendation of the Hearing Officer due to her recent felony conviction, and deny Ms. Vaughn's RN exam application. Mr. Howard seconded. Motion carried with one opposition (Ms. Wright) and one abstention (Dr. Lavender).**

- D. Reinstatements – Formal Hearings

There were no reinstatement Formal Hearings.

### XIII. OPEN FORUM

- A. Institute of Medicine Report Discussion: Representative from State of Alabama Commission on Colleges of Nursing (SACCN)

Dr. Debra Davis, Dean, College of Nursing, University of South Alabama, and Dr. Doreen Harper, Dean, School of Nursing, University of Alabama at Birmingham, were present to discuss the Institute of Medicine Report which established a two year initiative on the future of nursing.

They provided a written summary of SAACN's talking points for the

Board.

XIV. NEXT MEETING DATE

August 18, 2011, RSA Plaza, Suite 350

XV. OTHER

- The Board viewed the NCSBN National Simulation Study video.
- Dr. Lavender reported that she did a presentation on the Systematic Plan of Evaluation for post-secondary schools at Linda Cater's request.
- The Board requested that the nursing education programs redact student names when providing reports to the Board.
- Dr. Autrey reported that she will not be at the August Board Meeting. Ms. Price will serve as President.
- Dr. Dearman reported that Dr. Davis and Dr. Harper intended to ask the Board to co-host a Summit with the Deans and Directors to discuss the Institute of Medicine Report.
- Ms. Henley introduced Tina Leonard, Docket Clerk.
- Ms. Wright requested to invite Mark Wilkerson, Hearing Officer, to a future Board meeting.

XVI. BOARD MEETING DEBRIEFING

- Dr. Dearman reported that the evidence did not support the Board's decision on Herzing University and Lawson State Community College.
- Mr. Howard reported that unless the Board can prove that the school let the student's down rather than the student's issues, the Board cannot withdraw approval.
- Dr. Autrey reported that the Board will discuss NCLEX results for schools at a future Board meeting.

XVII. ADJOURNMENT

The meeting adjourned at 11:02 a.m. on July 22.

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Pamela Autrey, President

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Sharon Pugh, Secretary

Submitted by: \_\_\_\_\_  
Recorder: Leslie Vinson  
07/21-22/2011